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C O N F I D E N T I A L SECTION 01 OF 04 BANGKOK 005849

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [TH](#) [BM](#)

SUBJECT: PINHEIRO: BURMESE JUNTA WANTS RETURN TO STATUS QUO

REF: RANGOON 1111

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Classified By: Ambassador Ralph L. Boyce, reason 1.4 (b) and (d)

SUMMARY

1. (C) Professor Paulo Pinheiro, the UN Special Rapporteur on the situation of human rights in Burma, told us he planned to tell the UN that he did not see any indication that Burma's military junta wanted anything but to return to the status quo. Prior to a general briefing to Western diplomats in Bangkok, in a private lunch with the Ambassador, Pinheiro provided a read-out of his just completed visit to Burma. Pinheiro emphasized that he had not conducted a full fact-finding mission, but believed that he had uncovered very useful information and that his report would be "devastating." Pinheiro described a number of ways to keep the pressure on the junta, using UN mechanisms such as a visit of the High Commissioner on Human Rights and a briefing to the UNSC. He also warned against going too far in isolating the regime, and suggested that the international community would have to find some positive responses, possibly along the lines of those proposed by French Foreign Minister Kouchner. End Summary.

REGIME LACKEYS ACKNOWLEDGE NOTHING

12. (C) During a November 16 lunch at the Ambassador's residence, which the UN Office of the High Commission for Human Rights had requested the week before, Pinheiro was able to present us with a more frank and honest impression of his first trip to Burma in four years. This was a dramatically different encounter than his self-censored meeting with diplomats in Nay Pyi Daw two days before (reftel). British Ambassador Quinton Quayle also joined the luncheon. Overall, Pinheiro expressed his disappointment and frustration at having no control over his schedule or his communications with his own staff in Rangoon. At one point he was told that his schedule was too full to include a visit with the UN Country Team. Under normal circumstances he explained, he would have suspended the mission right then and there and returned to the airport. But considering the current crisis and the fact that he had not been allowed in the country in four years, he felt he had no choice but to push forward. He complained that most of his meetings were plagued by government minders and official photographers. Even so, he was able to have useful discussions, although sometimes the most valuable information was from brief pull-asides by people as he was departing his meetings.

13. (C) Pinheiro described the list of meetings and site visits the Burmese orchestrated for him. He felt he had good meetings with the Rangoon police commander and a civilian leader within the State Peace and Development Council (SPDC), who provided him with requested arrest records. As one would expect, most of the official meetings were not encouraging. The secretaries of the National Convention and the Constitution Drafting Committee repeatedly insisted that the National League for Democracy (NLD) and other opposition groups could not be allowed to participate in the creation of

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the new constitution. According to the two secretaries, the opposition groups forewent their opportunity to be included in the process. The Minister of Economy and Planning cheerfully told Pinheiro that Burma's economy grew by 12.8 percent last year. Pinheiro did have a positive impression of Aung Kyi, Labor Minister and designated liaison to Aung San Suu Kyi (ASSK).

14. (C) Various site visits included the General Hospital in Rangoon, where he received hospital records, as well as a crematorium, where the GOB officials admitted 14 people killed during the September protests were brought and cremated. Pinheiro added that he had no way of knowing if other crematoriums were used for others killed. He found the most disturbing stop to be the former Technical College which had served as the headquarters for the interrogations of detained protesters. His 'tour guides' explained that at the peak of the crisis, the GOB had been able to process 1,900 detainees through the facility in one week.

15. (C) Towards the end of his visit, Pinheiro also met with regime-selected ethnic leaders. These were people that had been brought into the junta's political fold years ago and represented the same ethnic groups that had participated in the National Convention. He was particularly worried by the statements that some of them had made in the GOB's mouthpiece, the New Light of Myanmar, that same week, which questioned ASSK's recent statement. Pinheiro believed the GOB was behind these group's statements and saw it as the junta's blatant sabotage of something the government had agreed to with Gambari (i.e., beginning dialogue with ASSK).

MONKS AND POLITICAL PRISONERS

16. (C) Pinheiro stated that the regime made many efforts to discredit those monks that had participated in the September protests. For example, they took Pinheiro to Ngwe Kyat Yan monastery, which had reportedly undergone one of the more

dramatic raids by government security forces. Completely devoid of monks, an exhibit of pornographic material, including photographs of ASSK pasted into the material, greeted Pinheiro and his party. The guards accompanying them alleged that the monks had assembled the pornography. They also said the monks had been accused of gambling, by way of explaining the monastery's empty rooms.

¶17. (C) Pinheiro described one meeting with a senior abbot and young novices. After Pinheiro complained about the presence of so many photographers, a government official shooed the majority of hanger ons out of the room. His conversation with the monks was very revealing, Pinheiro told us, and the monks provided him with a lot of information, though in a very indirect manner. In response to Pinheiro's question about how many monks the monastery had, the abbot replied that it used to have 183 monks, but today only 92 remain. Pinheiro asked what happened to the other 91 monks, the abbot replied "they had to leave." He then looked Pinheiro in the eye and said "you are a very intelligent man, I am sure you understand what I am telling you."

¶18. (C) During his first visit to Insein Prison, Pinheiro was not allowed to see any political prisoners. However, he

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submitted a list to the GOB of people he would like to be able to visit and subsequently on November 15 the GOB granted private interviews with five political prisoners, including human rights and labor activist Su Su Nwe (who had been arrested during Pinheiro's visit), 77 year old journalist Win Tin detained since 1989, 88 generation students Min Zeya and Than Tin aka Kyi Than, and NLD member Maung Kan. Without revealing details of their discussions, Pinheiro told us that none of them claimed to receive harsh treatment at Insein Prison, though they complained of poor health. He found their meetings very valuable as each prisoner, who as he understood were being held in separate cells, independently confirmed information that Pinheiro and his team had obtained prior to the visit. For example, they all described the same pattern of being picked up and brought to Police Headquarters Number 7, where they underwent brutal interrogations, and then transferred to Insein, where they did not face such ill treatment. These prisoners were held in a special block of cells separated from the main prison population, along with what they estimated to be about 70 other people.

¶19. (C) The GOB did not allow Pinheiro to visit recently arrested U Gambira, a monk Pinheiro described as a true leader of the recent protests. The regime told Pinheiro he could not meet with U Gambira because he was "traveling." Pinheiro expressed his fear that the monk was undergoing "very harsh treatment." Pinheiro's request to meet with ASSK was denied by the regime, without explanation. As for meeting with Than Shwe, Pinheiro told us he had not asked to see the general.

¶10. (C) On several occasions during the lunch, Pinheiro said that he was not yet prepared to discuss numbers, but that his final report would include more definite conclusions. He would say that the Burmese Minister of Foreign Affairs claimed that about 3,000 people had been released from detention thus far, which led Pinheiro to project that the number of those arrested was far greater. In addition, upon his arrival Pinheiro had given the GOB a list of 700 people known to his office to have been detained during the recent crackdown. At the end of his visit, the regime returned the list to Pinheiro, and had indicated the whereabouts of each person, but provided no further information. Pinheiro said this list would be spelled out in his report.

THE WAY FORWARD?

¶11. (C) The problem, explained Pinheiro, was that the Burmese

generals have not learned anything from recent events in their country. To the contrary, they want exactly what the UN Secretary General had repeatedly said is not acceptable, which is a return to the status quo. This insight will be at the forefront of his briefings with Gambari and UNSYG and of his report, which he said will be "devastating" to the junta.

While it was true that the junta wanted relief from the increased pressure that has been placed on them in recent months, Pinheiro stated that the generals have taken to a "bunker mentality"; they repeatedly identified the protesters as terrorists who were funded by foreigners (primarily the U.S.). Throughout his visit, numerous officials repeated that all their actions during the crackdown on the protests had been completely in keeping with Burma's security laws.

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No one would or could acknowledge what had really happened.

¶12. (C) Pinheiro laid out to us a list of possible next steps, and said that he would be brainstorming further ideas once he returned to the U.S. Pinheiro believed that the UN Human Rights Council could be a valuable forum for putting further pressure on Burma. He noted that he would also be glad to be invited to brief the UNSC once his report was completed. He suggested that the High Commissioner for Human Rights might travel to Burma, to highlight the lack of progress that Rangoon had made on any of the issues raised by the HRC or the UNSC. He might propose a full fact-finding mission be sent as well. Although Pinheiro already had a list of measures in mind to keep the pressure on, he also warned against isolating the regime too much. He cautioned that the international community could not continue to ask Burma for concessions, such as access for his mission and others, while not giving anything at all in return. He alluded to the proposals of French Foreign Minister Kouchner for further assistance for Burma in this context.

¶13. (C) Furthermore, Pinheiro believed that Gambari's mission required additional support. In particular, he saw it as crucial that Gambari have increased operational support to facilitate his work. He told us he understood that the UN Department of Political Affairs would be opening an office in Singapore, to work with ASEAN, and indicated that this office might provide support for Gambari.

COMMENT

¶14. (C) Free of his Burmese minders, Pinheiro was able to provide a much more honest view of his recent visit to Burma.

While he emphasized that he had not had enough time or resources to conduct a full fact finding mission, he was confident that he had gathered some useful and revealing information for his report. While we did not review his findings in detail, he gave every indication of thoroughly understanding the brutality of the Burmese government actions, and showed no tendency to cut the junta any slack. We defer to others on the efficacy of his proposed next steps, but we would certainly agree on his main point about the junta - "They want to return to the status quo ante; we must make trouble for them."

BOYCE